

## OVERVIEW

Absent Without Legal Permission (AWOLP) is when a child who is placed with the Michigan Department of Health and Human Services (MDHHS) for care and supervision is absent from an approved placement without legal permission.

For delinquent youth, see [JJ4 410, Placement Decision Making Guidelines](#), for additional information.

Youth participating in Young Adult Voluntary Foster Care (YAVFC) who, without permission, fail to return to their paid provider, are considered AWOLP. For additional information regarding YAVFC payments on AWOLP youth, see [FOM 722-16, Ineligible Placements](#).

## NOTIFICATION

### Immediately

Foster parents, relative/unrelated caregivers, parents, and/or residential facility staff must **immediately** notify law enforcement agencies (state police, local police, or the sheriff's department) **and** the supervising agency when a youth under their care fails to return at the expected time or leaves a home without permission.

**Note:** The supervising agency must establish procedures to implement this policy during non-working hours. The assigned caseworker must be notified on the next business day.

Upon notification, the supervising agency must **immediately** file a missing person report with the local law enforcement agency, classifying the youth as missing and endangered.

Upon notification, private child placing agency providers must **immediately** notify the MDHHS monitoring worker of the child absence and within one business day must document the notification in the social work contacts in MiSACWIS.

### Within 24 hours

Within 24 hours of the child's absence, the supervising agency must notify:

- The court of jurisdiction.
- The parents, if appropriate.
- Lawyer-guardian ad litem (LGAL).

**Within One  
Business Day**

- The National Center for Missing and Exploited Children (NCMEC). The phone number for the NCMEC's 24-hour call center is 1-800-THE-LOST (1-800-843-5678).

***Supervising Agency***

The supervising agency must take the following actions within one business day of the child's absence:

- Update MiSACWIS with an AWOLP placement.
- Document action taken to locate the child in MiSACWIS.
- Complete the [DHS-3198A, Unauthorized Leave Report to Court/Law Enforcement](#).
  - Send a copy of the DHS-3198A, Unauthorized Leave Report, to the court.
  - Provide a copy of the DHS-3198A, Unauthorized Leave Report, to the local law enforcement agency to ensure that the child is entered on the Law Enforcement Information Network (LEIN) as missing and endangered by email, fax or hand delivery.
  - Upload a copy of the DHS-3198A, Unauthorized Leave Report, and a current photo of the child to MiSACWIS.
- Complete the [DHS-710, Clearance to Publish Children AWOLP on MDHHS Web and NCMEC Web](#), obtain required signatures, and forward to the Child Locator Centralized Unit; see *Criteria to Place a Child/Youth on the Child Locator Website*, in this policy.
- Document that the child's AWOLP status reported to the National Center for Missing and Exploited Children (NCMEC), as an AWOLP contact in the social work contacts in MiSACWIS.

***Private Child Placing Agency Caseworkers***

The private child placing agency caseworker must take the following actions within one business day of the child's absence:

- Inform the MDHHS monitoring worker that a copy of the DHS-3198A, Unauthorized Leave Report, and a current photo of the child has been uploaded to MiSACWIS.

***MDHHS Caseworkers and Monitoring Workers***

The MDHHS caseworkers and monitoring workers must take the following actions within one business day of the child's absence:

- Confirm the child has been classified as missing and endangered on Law Enforcement Information Network (LEIN).

**Note:** MDHHS monitoring workers have one day from the date of notification that the DHS-3198A has been uploaded to confirm the child has been entered on LEIN.

- Obtain the NIC number from the law enforcement agency where the missing youth was reported missing. The NIC number is assigned by the National Crime Information Center (NCIC) to all records and is verification that the missing youth was entered into NCIC.

**Note:** If local law enforcement refuses to place child on LEIN, the caseworker must document in MiSACWIS and forward information to the Child Locator Centralized Unit.

- Document all contacts in MiSACWIS.

**DILIGENT SEARCH****Within Two  
Business Days**

As soon as possible, but within two business days of the child's absence, the supervising agency must commence a diligent search for the child. Required actions are:

- Review all available information in the case file/MiSACWIS records for information on the potential location of child. For example, family members, unrelated caregivers, friends, known associates, churches, or a neighborhood center.
- Contact the school that the child last attended to verify that the child is not in attendance and determine if there are friends/teachers who may have information.

- Contact the local school district office(s) to determine if the child has enrolled in a new school.
- Complete an internet search and search social networking sites; for the child, the child's parents, known relatives and acquaintances, if applicable.
- Document results of all contacts in MiSACWIS.
- Forward any new contacts or results to the court and law enforcement.

***MDHHS Caseworkers Only***

- Complete automated systems checks (e.g. BRIDGES, Secretary of State) for the child and known family members.

***MDHHS Monitoring Worker Responsibilities***

As soon as possible, but within two business days of notification, the MDHHS monitoring worker or designee must commence a diligent search for the child by completing the following actions:

- Complete automated systems checks, for example, BRIDGES and Secretary of State, to search for the child or known family members.
- Review any additional MDHHS case files/MiSACWIS records to identify information on the potential location of child/youth; for example, family members, unrelated caregivers, friends, known associates, churches, and/or a neighborhood center. Forward any new information to the court, law enforcement and the supervising agency.

***Diligent Search Checklist***

Caseworkers may use the [DHS-991, Diligent Search Checklist](#), as a guide for the search. If the DHS-991, Diligent Search Checklist, is used, the caseworker must upload the completed form to MiSACWIS.

**Ongoing AWOLP  
Diligent Search**

At a minimum, the assigned caseworker and (if applicable) the MDHHS monitoring worker must complete a diligent search every calendar month until the child is located. The assigned caseworker

must document all efforts to locate a child and any child-initiated contacts in the case service plan.

The caseworker must continue to notify law enforcement of any new information to aid in their efforts to locate the youth.

## **CHILD LOCATOR CENTRALIZED UNIT**

The Child Locator Centralized Unit will:

- Receive an email notification generated by MiSACWIS that the child is AWOLP.
- Review the electronic case file for completeness.
- Notify local office via reply email of determination or need for additional information.
- Determine if the child/youth's information will be placed on the Child Locator Website.

### **Criteria to Place a Child/Youth on the Child Locator Website**

In order to place a child/youth's information on the Child Locator Website, the assigned caseworker must complete the [DHS-710, Clearance to Publish Children AWOLP on MDHHS Web and NCMEC Web](#), and obtain the required signatures. The chart below summarizes the required signatures by legal status:

Legal Status	Authorized to Consent to Publication
Temporary Court Ward	Legal parent/guardian If a legal parent is unable to be located or unwilling to sign, the court of jurisdiction must be petitioned for authority to publish identifying information.
State Ward	Michigan Children's Institute (MCI) Superintendent.
Permanent Court Ward	Court of jurisdiction.

Once completed, the form must be forwarded to the Child Locator Centralized Unit at the following address:

Child Locator Analyst  
Education and Youth Unit  
235 S. Grand Ave., Suite 514  
Lansing, MI 48909  
Fax: 517-335-7789  
Email: [MDHHS-ChildLocatorUnit@michigan.gov](mailto:MDHHS-ChildLocatorUnit@michigan.gov)

Not all children who are AWOLP will be placed on the Child Locator Website. In general, the following children/youth will not be placed on the website:

- Youth age 18 years and older.
- Youth age 17 and the placement is known but not approved, such as a biological parent or unapproved relative.
- Child with an open juvenile justice case.

**Note:** Circumstances may allow exceptions. The caseworker and supervisor would request an exception to the Child Locator Unit.

## WHEN AN AWOLP YOUTH IS LOCATED

As soon as possible, but no later than one business day after locating the youth, the supervising agency must take the following actions:

- Notify the NCMEC that the child has been located.

- Notify local law enforcement that the child has been located.

As soon as possible, but no later than five business days after locating the youth, the supervising agency must meet with the youth to determine the following:

- The primary factors that contributed to the youth running away.
- The ways in which the youth's placement should respond to those factors.
- The youth's activities while AWOLP, including if the youth was a victim of sex trafficking.

### ***Return from AWOLP Conversation Guide***

Caseworkers may utilize the [DHS-5333, Conversation Guide on Return from AWOLP](#), during the discussion with the youth.

If it is suspected that the youth was a victim of human trafficking, the caseworker must immediately contact Centralized Intake at 1-855-444-3911, for a complete investigation; see [SRM 300, Human Trafficking of Children](#).

### ***Documentation***

This conversation must be documented in the social work contacts in MiSACWIS, with the purpose categorized as *Interview w/youth on Return from AWOLP*. Specific details of the conversation should be documented in the *Additional Narrative* section of the social work contact.

### **Youth Returning to Placement on the Same Day**

When a youth is located or returns to placement the same day he/she went AWOLP, placement in MiSACWIS is not updated. For these situations, the incident should be documented as an AWOLP social work contact, including the conversation that is required with the youth on his/her return from AWOLP.

**Note:** In the event the caseworker already entered the AWOLP placement in MiSACWIS, the supervisor must change the AWOLP placement status to Created in Error.

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## LEGAL BASE

### Federal

#### **Suzanne Lyall Campus Safety Act, P.L.101-647**

Requires law enforcement to notify the National Crime Information Center (NCIC) any time a person under age 21 is reported missing.

#### **The Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248**

Prohibits a state law enforcement agency from removing a missing person from its law enforcement data system or the National Crime Information Center computer database based solely on the age of such person.

#### ***The Preventing Sex Trafficking and Strengthening Families Act, P.L. 113-183, 42 USC 671(a)(35)(A)(i-iv)***

States must develop and implement plans to expeditiously locate any child missing from foster care; determine the primary factors that contribute to the child's running away or being absent from foster care; determine the child's experiences while absent from foster care, including screening whether the child was a victim of sex trafficking. The supervising agency must report within 24 hours of receiving information on missing or abducted children to the law enforcement authorities and the National Center for Missing and Exploited Children.

#### **Trafficking Victims' Protection Act, P.L. 110-457**

A sex trafficking victim is defined as an individual subject to the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act or who is a victim of a severe form of trafficking in persons in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform the act is under 18 years old.

## POLICY CONTACT

Questions about this policy item may be directed to the [AWOLP Policy Mailbox](#).